

1 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA

2 UNITED STATES OF AMERICA,
3 Plaintiff,

Case No. MJ12-5103

4 v.

DETENTION ORDER

5 JOHN BRADFORD O'LEARY,
6 Defendant.

7 THE COURT, having conducted a detention hearing pursuant to 18 U.S.C. *3142, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of the defendant as required and/or the safety of any other person and the community.

8 This finding is based on 1) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence or involves a narcotic drug; 2) the weight of the evidence against the person; 3) the history and characteristics of the person including those set forth in 18 U.S.C. * 3142(g)(3)(A)(B); and 4) the nature and seriousness of the danger release would impose to any person or the community.

9 *Findings of Fact/ Statement of Reasons for Detention*

10 Presumptive Reasons/Unrebutted:

- 11 () Conviction of a Federal offense involving a crime of violence. 18 U.S.C.*3142(f)(A)
12 () Potential maximum sentence of life imprisonment or death. 18 U.S.C.*3142(f)(B)
13 () Potential maximum sentence of 10+ years as prescribed in the Controlled Substances Act (21 U.S.C.*801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C.*951 et seq.) Or the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.)

14 Safety Reasons:

- 15 () Defendant is currently on probation/supervision resulting from a prior offense.
16 () Defendant was on bond on other charges at time of alleged occurrences herein.
17 () Defendant@ criminal history and substance abuse issues.
18 () History of failure to comply with Court orders and terms of supervision.

19 Flight Risk/Appearance Reasons:

- 20 () Defendant@ lack of appropriate residence.
21 () Immigration and Naturalization Service detainer.
22 () Detainer(s)/Warrant(s) from other jurisdictions.

23 Other:

- 24 (X) Defendant stipulated to detention without prejudice and for reasons contained in the Government's Motion for Detention.

Order of Detention without Prejudice

? The defendant shall be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.

? The defendant shall be afforded reasonable opportunity for private consultation with counsel.

? The defendant shall on order of a court of the United States or on request of an attorney for the Government, be delivered to a United States Marshal for the purpose of an appearance in connection with a court proceeding. This Order is entered without prejudice to review.

June 20, 2012.

s/Karen L. Strombom

Karen L Strombom, U.S. Magistrate Judge